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DATE: December 28, 2004
TO: Examiner Brian R. Peugh
FIRM: USPTO, Group Art Unit 2187
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**TOTAL NUMBER OF PAGES: 2
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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Brian D. HERR et al.

Serial No.: 09/994,443

For: *DYNAMIC SELF-TUNING MEMORY MANAGEMENT METHOD AND SYSTEM*

Enclosed are the following:

Request for Continued Examination (RCE) - 1 pg.

Docket No.: POU920010125US1

140-A01-016

December 28, 2004

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**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
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| | |
|------------------------|-------------------|
| Application Number | 09/994,443 |
| Filing Date | November 27, 2001 |
| First Named Inventor | Brian D. Herr |
| Art Unit | 2187 |
| Examiner Name | Brian R. Peugh |
| Attorney Docket Number | POU920010125US1 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0463
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.138 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------|-----------------------------------|----------|
| Name (Print/Type) | Jose Gutman | Registration No. (Attorney/Agent) | 35,171 |
| Signature | <i>Jose Gutman</i> | Date | 12/28/04 |

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